



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

CERTIFIED MAIL #7008 3230 0003 0727 5003
RETURN RECEIPT REQUESTED

IN THE MATTER OF:

Chemoil Corporation

ATTENTION: Michele Swanson, Responsible Corporate Officer
Chemoil Corporation
Four Embarcadero Center, Suite 1100
San Francisco, CA 94111

Second Request for Information Under Section 114(a) of the Clean Air Act,
42 U.S.C. § 7414(a)

The United States Environmental Protection Agency (EPA) hereby requires Chemoil Corporation (Chemoil or you), to submit certain information as part of an EPA investigation to determine your compliance with Section 211 of the Clean Air Act (CAA), 42 U.S.C. § 7545, and the renewable fuels standard program set forth at 40 C.F.R. Part 80, Subparts K and M (RFS program). The EPA issued Chemoil a CAA Section 114 Information Request (First Information Request) on March 20, 2013. In response to Chemoil's request, the EPA narrowed and clarified the First Information Request in an April 25, 2013, e-mail from Tony Miller to John Fehrenbach with Winston & Strawn LLP.

This letter, and the enclosed appendices, are collectively referred to as the Second Information Request. This Second Information Request requests additional information from you concerning shipments of renewable fuel, transportation fuel, heating oil, jet fuel, or fuel oil that Chemoil exported or caused to be exported. Appendix A provides instructions for responding to the Second Information Request. Appendix B provides relevant definitions, and Appendix C specifies the information that you must submit to comply with the Second Information Request. You must submit this information to the EPA representative listed below within 30 calendar days from the date of this request. Please carefully review the instructions, definitions, and the specific information request, as you prepare your response.

The EPA issues this Second Information Request under Section 114(a) of the CAA, 42 U.S.C.

§ 7414(a). Under Section 114(a), the Administrator of the EPA may require any person who is subject to, among other provisions, Section 211 of the CAA, 42 U.S.C. § 7545, to provide information necessary to determine whether the person has acted or is acting in compliance with Section 211, and the regulations promulgated thereunder. The Administrator has delegated this authority to the undersigned Director of the Air Enforcement Division, Office of Civil Enforcement, Office of Enforcement and Compliance Assurance.

Failure to provide the required information may result in an enforcement action pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. Failure to provide all requested information in its entirety, and in the

format requested, may result in additional inquiries. It is important that your responses be clear, accurate, and complete. We will regard the submitted information that is misleading, false, incomplete, or submitted without regard to its accuracy as a violation of the CAA and other applicable law. Chemoil must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the enclosed information, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

We may use any information submitted in response to this request in administrative, civil, or criminal action(s).

You are entitled to assert a business confidentiality claim covering all or part of the information you submit in response to this request, in accordance with the procedures described in the confidentiality of business information (CBI) regulations, 40 C.F.R. Part 2, Subpart B. However, no CBI claim may be made with respect to emissions data as defined at 40 C.F.R. § 2.301(a)(2). When identifying the information subject to your CBI claim you must specify the page, paragraph, and sentence containing that information. Appendix D of this Second Information Request specifies the assertion and substantiation requirements for business confidentiality claims. The EPA may, without further notice, provide the public with any information not subject to a CBI claim.

Please submit all requested information, via courier service or overnight delivery, to:

Tony Miller, Chemical Engineer
U.S. Environmental Protection Agency

Office of Enforcement and Compliance Assurance, 8MSU
1595 Wynkoop Street
Denver, CO 80202

Any questions concerning this request for information should be directed to Tony Miller of my staff at
(303) 312-7161 or miller.anthony@epa.gov.

4/24/14
Date

Phillip A. Brooks for
Phillip A. Brooks, Director
Air Enforcement Division

Appendix A Instructions

In order to better aid in your response, instructions 7- 8 have been modified and instructions 9 – 10 are new as compared to the First Information Request to Chemoil.

1. Provide a response to each request. For any narrative responses, respond in English, in written document form.
2. For each answer and document produced, provide the number of the question to which it responds and identify each person who provided information that was used to prepare that answer.
3. If applicable, please note on the top of the first page of each document the citation to the related fuels regulation(s) (e.g., put 40 C.F.R. § 80.1454(a)(1) on the top of the first page of each product transfer document.)
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where a document or information necessary for a response is neither in your possession nor available to you, indicate in your response why such document or information is not available or in your possession and identify who either possesses or is likely to possess such information.
6. All submitted information should be copies and not original information.
7. Where Chemoil has previously submitted information to the EPA that is also the subject of these requests, re-submit that information in accordance with these Instructions (Appendix A). Additionally, for information previously submitted by you to the EPA, identify the date on which it was provided, how the information was provided (e.g., electronically, fax, mail), and the person at the EPA to whom it was provided. The requirements of this Instruction do not apply to information Chemoil submitted in Chemoils response to the EPA's First Information Request.
8. Unless specifically identified in the request, please provide two copies of your response to this Second Information Request in electronic form. Please provide the certification statement in hard copy form with the two electronic copies of your response. Where spreadsheets are responsive to a request produce them in unlocked electronic spreadsheet format, such as .xls or .csv (locked spreadsheets and .pdf files are unacceptable). Please contact Tony Miller if providing the information electronically will be an issue.
9. This Second Information Request is a continuing request. You must promptly supplement your response in the event you learn that you possess responsive information not yet produced, or if you gain possession, custody, or control of responsive information after initially responding to this Second Information Request.

10. Where a specific entity is responsible for the response to a request in Appendix C (e.g., Chemoil Corporation, Chemoil North America Corporation, Chemoil Terminals Corporation, or Chemoil), indicate in your response which entity is responding to the request.

Appendix B

Definitions

1. All terms used in this information request will have their ordinary meaning unless such terms are defined in the Clean Air Act (CAA), 42 U.S.C. § 7401 *et seq.*, or the implementing fuels regulations at 40 C.F.R. Part 80.
2. “Affiliate” is used to indicate a relationship to a specified person, and means any person that, directly or indirectly or through one or more intermediaries, controls, is controlled by or is under common control with such person. As used in this definition, the term “control” means direct or indirect ownership or voting control of 50% or more of the equity or voting securities of the person in question or having the power, by contract or otherwise, to elect or appoint a majority of the board of directors (or similar governing body or individuals) of the person in question, or otherwise direct the business affairs of such person.
3. The terms “document” and “documents” mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by the EPA, with all necessary documentation and support. All documents in hard copy shall also include attachments to or enclosures with any document.
4. The term “person” includes an individual, corporation, partnership, limited liability company, sole proprietorship, or any formal or informal entity, organization, or association.
5. The term “export” means to transfer a product from a location within the contiguous 48 United States or Hawaii to a location outside the contiguous 48 United States and Hawaii.
6. “Chemoil” means Chemoil Corporation, Chemoil North America Corporation, Chemoil Terminals Corporation, Chemoil, and all of its affiliates, predecessors, successors, and assigns.

Appendix C

Information Request

Chemoil must submit a copy of the following information to the EPA within 30 calendar days from the date of this Second Information Request.

Inconsistent and Missing Information in Original Response

In response to request 4 of the First Information Request, Chemoil submitted a locked .pdf copy of a spreadsheet summarizing exports of renewable fuel, transportation fuel, heating oil, jet fuel, or fuel oil along with the volumes of renewable fuel, transportation fuel, heating oil, jet fuel, or fuel oil exported or caused to be exported (Original Spreadsheet.)

1. The EPA identified inconsistencies between the volumes of fuel exported or caused to be exported reported in the Original Spreadsheet and the volumes of fuel exported or caused to be exported on the associated invoices Chemoil provided for each referenced shipment. A copy of the Original Spreadsheet annotated with a star to identify these shipments is attached to this request as Exhibit A.
 - a. Please produce an unlocked copy of the Original Spreadsheet you produced in response to the EPA's First Information Request.
 - b. For each shipment where there is an inconsistency between the volumes reported in the Original Spreadsheet and the volumes on the associated invoices:
 - i. please explain the discrepancy; and
 - ii. please identify the correct volume that was exported or caused to be exported in that shipment and provide the documents (e.g., invoices, bills of lading, certificates of origin, or other shipping documents) that substantiates the corrected volume you identified as being exported or caused to be exported.
2. The EPA identified information contained in two invoices not identified in the Original Spreadsheet that indicate Chemoil exported or caused to be exported 3.6 million additional gallons of biodiesel in 2011 and 2012. See invoice numbers 2099769 and 4699999-000. These invoices are attached as Exhibit B to this request.
 - a. Please confirm that the information on invoice numbers 2099769 and 4699999-000 was not included in the Original Spreadsheet;
 - b. Please confirm that the volumes of biodiesel on invoice numbers 2099769 and 4699999-000 were in fact exported or caused to be exported; and
 - c. Please explain why the information contained in invoice numbers 2099769 and 4699999-000 were omitted from the Original Spreadsheet.
3. The EPA identified additional invoices and contracts that indicate Chemoil may have exported or

caused to be exported additional gallons of renewable fuel, transportation fuel, heating oil, jet fuel, or fuel oil from 2010 to the present that were not identified in the Original Spreadsheet. These invoices and contracts are attached as Exhibit C to this request.

- a. Please confirm that the information contained in the invoices and contracts attached as Exhibit C was not included in the Original Spreadsheet;
- b. Please confirm that the volumes of renewable fuel, transportation fuel, heating oil, jet fuel, or fuel oil on the invoices and contracts attached as Exhibit C were in fact exported or caused to be exported; and
- c. Please explain why the information contained in these documents was omitted from the Original Spreadsheet.

4. The EPA's review of Chemoil's response to the EPA's First Information Request has identified inconsistencies between the blend volumes reported in the Original Spreadsheet (e.g., 1.1 % by volume) and the blend volumes on the underlying documents provided by Chemoil (e.g., invoices, contracts, diesel fuel purchases.)

- a. Please review and correct the Original Spreadsheet to identify the proper blend volumes. If Chemoil corrects the blend volumes in the Original Spreadsheet, please produce all documents relied on to make the correction and include all formulas and calculations used or performed by Chemoil to determine the volume percentage; and
- b. If Chemoil contends the blend volumes identified in the Original Spreadsheet are greater than 1.0 % by volume, please produce all documents you rely upon for that contention, including any and all formulas and calculations used or performed by Chemoil to determine the blend volumes are greater than 1.0 % by volume.

5. The EPA identified inconsistencies between the blend component reported in the Original Spreadsheet by Chemoil (e.g., "non-petroleum diesel" blended with heating oil) and the blend components stated on the underlying documents (e.g., invoices, contracts, diesel fuel purchases) provided by Chemoil (e.g., undyed diesel fuel, dyed ultra low sulfur diesel, unblended biodiesel.)

- a. Please review and correct the Original Spreadsheet to identify the proper blend component (e.g., undyed diesel fuel, dyed ultra low sulfur diesel, unblended biodiesel); and produce all documents relied on to make the correction; and
- b. If Chemoil contends the blend components identified in the Original Spreadsheet are heating oil, please produce all documents you rely upon for that contention.

6. For the time period beginning January 1, 2010, through and including January 2, 2013, please identify and supplement your response to include all shipments of renewable fuel, transportation fuel, heating oil, jet fuel, or fuel oil Chemoil exported or caused to be exported that were not included in Chemoil's response to the First Information Request.

7. For the time period beginning January 2, 2013, through the date of Chemoil's response to this

Second Information Request, please identify and supplement your response to include any and all additional shipments of renewable fuel, transportation fuel, heating oil, jet fuel, or fuel oil Chemoil exported or caused to be exported.

8. Please revise the Original Spreadsheet to reflect revisions and additions made in response to Requests 1 through 7, above.

- a. Please produce a copy of the Original Spreadsheet as revised in accordance with this Second Information Request in unlocked electronic spreadsheet format (Revised Spreadsheet); and
- b. Highlight any changes as compared to the Original Spreadsheet.

Inconsistent and Missing Documentation in Original Response

9. Four invoices provided by Chemoil in response to the First Information Request, and attached as Exhibit D, appear to relate to the same shipment of fuel, yet there are two separate countries where the shipment could have been discharged. Please identify the port of discharge for the November 1, 2012 shipment identified by Chemoil as “non-petroleum diesel” in Exhibit D and explain the apparent discrepancy.

10. Invoices 2104611 and 2231421 provided by Chemoil in response to the First Information Request, and attached here as Exhibit E, reflect the same volume of fuel but different dates, recipients, and prices. Please explain if these invoices refer to the same shipment or two separate shipments. If these invoices refer to the same volume, then explain why two documents exist and provide information and documents to support that explanation.

11. Please provide copies of Chemoil Invoices 2100509, 2100101, and 2099919. Copies of these invoices were not included in Chemoil’s response to the EPA’s First Information Request.

Additional Documents

12. Unless provided in Chemoil’s response to the First Information Request, for each shipment identified in the Revised Spreadsheet please provide:

- a. All product transfer documents;
- b. All fully-executed contracts. If a fully-executed contract does not exist for any shipment, produce any documentation used or created in lieu of a contract for that shipment;
- c. Copies of electronic documents submitted to, or required by any United States (U.S.) or state governmental entity for each shipment or export transaction, including but not limited to, the U.S. Department of Commerce (including the Bureau of the Census), the U.S. Department of Energy (including the Energy Information Administration), the U.S. Internal Revenue Service (IRS), and the U.S. Department of Homeland Security’s Bureau of Customs and Border Protection (CBP). Where documents were not submitted in electronic form, provide hard copies of the documents that were submitted. This request

includes, but is not limited to:

- i. Copies of the Shipper's Export Declaration (SED) form associated with each shipment or export transaction as required by the U.S. Department of Commerce;
 - ii. Copies of the Electronic Export Information (EEI) submitted through the Automated Export System (AES) as required and defined by 15 C.F.R. Part 30, including where Chemoil or Chemoil's authorized agent was the filer of the EEI for each shipment or export transaction as the U.S. Principle Party in Interest (USPPI). Where the filer of the EEI for the shipment or export transaction was Chemoil's U.S. authorized agent, provide copies of the written filing authorization giving the U.S. authorized agent authority to file the EEI for Chemoil;
 - iii. Copies of the proof-of-filing citation;
 - iv. Copies of post-departure filing citation;
 - v. Copies of AES-downtime filing citation;
 - vi. Copies of the exemption or exclusion legends required in 15 C.F.R. § 30.4(e) provided to the exporting carrier as required by 15 C.F.R. Part 30 for each shipment or export transaction;
 - vii. Copies of the Sea Carrier's Module filed under the AES, including outbound manifest information (copies of bills of lading or equivalent, and commercial documents relating to all cargo encompassed by the manifest must also be submitted as part of the outbound manifest information);
 - viii. Copies of the Cargo Declaration Outward With Commercial Forms (*i.e.*, CBP Form 1302-A) for each shipment or export transaction; and
 - ix. Copies of the Vessel Clearance Statements (CBP Form 1300) filed or submitted by the carrier of the outbound vessel for each shipment or export transaction as required under the CBP regulations at 19 C.F.R. Part 4.
- d. The name, address, and phone number of the freight forwarder for each shipment or export transaction;
- e. The name, address, and phone number of the carrier of the outbound vessel for each shipment or export transaction;
- f. All documents related to tax credits obtained by Chemoil from the IRS for each shipment or export transaction (including for any blended fuel);

- g. The date the fuel was exported or caused to be exported;
- h. The type of fuel in each shipment exported or caused to be exported (e.g., ethanol, biodiesel, gasoline, diesel fuel, heating oil, jet fuel, fuel oil);
- i. The volume of each shipment exported or caused to be exported;
- j. Whether the fuel was neat renewable fuel;
- k. Whether the fuel was a blend of renewable fuel and petroleum-based fuel. If the fuel was a blend of renewable fuel and petroleum-based fuel, 1) identify the petroleum product with which the renewable fuel was blended (e.g., gasoline, diesel, heating oil, fuel oil); 2) identify the volume percent of renewable fuel and petroleum-based fuel in the shipment; 3) state whether the renewable fuel in the blend was biodiesel, renewable diesel, advanced biofuel or another type of renewable fuel; and 4) state how you determined the volume of renewable fuel exported or caused to be exported in the blend;
- l. The category (*i.e.*, D Code), assignment (*i.e.*, assigned or separated), and quantity of RINs, if any, that you received with the fuel;
- m. The consignor and consignee of each shipment of fuel exported or caused to be exported;
- n. The ultimate destination of each shipment of fuel exported or caused to be exported;
- o. The port from which the fuel was exported or caused to be exported;
- p. The port to which the fuel was exported or caused to be exported;
- q. The name, address, telephone number, and email address of the person or entity who purchased the fuel;
- r. The name, address, telephone number, and email address of any broker used to facilitate the export of the fuel;
- s. All invoices and shipping documents, including but not limited to, bills of lading, Certificates of Origin, and certificates of analysis associated with each shipment of renewable fuel for which Chemoil exported or caused to be exported; and
- t. State whether Chemoil has met its renewable volume obligation under the RFS program for all renewable fuel shipments it has exported or caused to be exported.

13. For each shipment identified in the list attached as Exhibit F and exported at or near the date identified in the list attached as Exhibit F, except where previously provided, please provide the documents identified in Request 12. If a shipment is identified in Exhibit F, but is not identified in the Revised Spreadsheet, please indicate why it was not identified.

14. For each shipment identified in the Revised Spreadsheet, including but not limited to, renewable fuel (with or without any RINs associated with the volume of fuel), transportation fuel, heating oil, jet

fuel, or fuel oil that was subsequently exported or caused to be exported by Chemoil, produce any and all documents, including but not limited to, product transfer documents, invoices, receipts, shipping documents, bills of lading, shipping records, and fully-executed contracts, in any way relating to:

- a. The purchase of that fuel by Chemoil; and
- b. The purchase, sale, or transfer of all RINs associated with each shipment of fuel from or to Chemoil or a third party.

Other

15. The Original Spreadsheet summarizes certain exports of fuel identified as “non-petroleum diesel” by Chemoil.

- a. Please identify whether these volumes of fuel identified by Chemoil as “non-petroleum diesel” are also biodiesel.
- b. If Chemoil contends these shipments identified as “non-petroleum diesel” are not biodiesel, and do not contain any biodiesel:
 - i. please explain why; and
 - ii. produce all documents you rely upon for that contention.

16. Please provide any documents that discuss, consider, assess, analyze, or otherwise relate to whether any shipments identified in the Revised Spreadsheet constituted “biodiesel” or “renewable diesel” within the meaning of 40 C.F.R. Part 80, Subparts K and M.

17. Please provide any documents that discuss, consider, assess, analyze or otherwise relate to whether any shipments identified in the Revised Spreadsheet were a renewable fuel “in its neat form or blended with gasoline or diesel” and whether any such renewable fuel is subject to the requirement that its exporter acquire one or more Renewable Identification numbers to satisfy the Renewable Volume Obligation requirements of 40 C.F.R. Part 80.

18. If Chemoil contends that it is not the exporter of any of the shipments identified in the Original Spreadsheet or the Revised Spreadsheet, and is not the party responsible for satisfying an RVO or RVOs for those shipments, please produce all documents you rely upon for that contention.

19. Please identify whether you have withheld any documents or portions of documents otherwise responsive to any request for information in the First Information Request or this Second Information Request on grounds of privilege. If so, please identify the author of the document, all recipients of the document, the date the document was created, the subject of the document, the information request that the document is responsive to, and the grounds for the privilege asserted.

Appendix D

Confidential Business Information

You may assert a business confidentiality claim covering all or part of the information you provide in response to this Second Information Request for any business information entitled to confidential treatment under Section 114(c) of the CAA, 42 U.S.C. § 7414, and 40 C.F.R. Part 2, Subpart B. Under Section 114(c) of the CAA, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, Subpart B, business confidentiality means “the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information.” *See* 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the CAA and 40 C.F.R. Part 2, Subpart B. The EPA will construe your failure to furnish a business confidentiality claim with your response to this Second Information Request as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential” at the time you submit your response to this Second Information Request. Allegedly confidential portions of otherwise non-confidential information should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: 1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e); 2) that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; 3) the information is not and has not been reasonably obtainable by legitimate means without your consent; and 4) the disclosure of the information is likely to cause substantial harm to your business’s competitive edge. *See* 40 C.F.R. § 2.208 (a)-(d). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B. *See* 42 U.S.C. § 7414(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information forwarded in response to this Second Information Request, in accordance with 40 C.F.R. § 2.204(e)(4), the EPA is requesting that you answer the following questions with respect to any information for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to your claim.

2. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you have specified.
3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

You must furnish comments to the above questions concurrent with your response to this Second Information Request if you have claimed any information as business confidential. *See* 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

Natalie Firestine, Attorney-Advisor
U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance, 8MSU
1595 Wynkoop Street
Denver, CO 80202

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be entitled to confidential treatment if, when it is received by the EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). As required by 40 C.F.R. § 2.204(e)(6), you may assert a business confidentiality claim covering all or part of your response to these questions, as provided in 40 C.F.R. § 2.203(b). By submitting this information, you are consenting to a limited release of any confidential business information to EPA legal interns pursuant to 40 C.F.R. § 2.209(f). The EPA's legal

interns are required to sign confidentiality agreements as a requirement of their participation in EPA related matters. Information covered by such a business confidentiality claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the CAA and 40 C.F.R. Part 2. The EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.

CERTIFICATE OF MAILING

I, Natalie Firestine, certify that I sent this Second Information Request under Section 114(a) of the Clean Air Act, 42 U.S.C. § 7414(a), by Certified Mail, Return Receipt Requested, to:

Michele Swanson, Vice President
Chemoil Corporation
Four Embarcadero Center, Suite 1100
San Francisco, CA 94111

on the 24 day of April 2014.



Natalie Firestine

Certified Mail Receipt Number: 7008 3230 0003 0727 5003